

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

CENTRAL BOAT RENTALS, INC.)

Plaintiff,)

v.)

No. 2:19-cv-00173-RDP

RANGER OFFSHORE, INC.)

and)

IN ADMIRALTY

EPIC COMPANIES, LLC)

Defendants,)

and)

MODERN AMERICAN RECYCLING
SERVICE, INC.,)

Garnishee.)

**PLAINTIFF'S AND DEFENDANTS' JOINT MOTION TO STAY CASE IN LIGHT OF
RECENTLY-FILED OVERLAPPING INTERPLEADER ACTION**

The Plaintiff and Defendants jointly request that the Court stay this case because another case has been filed that may resolve the issues in this case. The other case is an interpleader action (the "Interpleader") filed by Modern American Recycling Service, Inc. ("MARS"), the Garnishee in this case. Defendants Epic Companies, LLC, Ranger Offshore, Inc. are named as defendants in the Interpleader, as is Central Boat Rentals, LLC, (the Plaintiff here) and other companies. On its face, the Interpleader involves the same dispute about entitlement to the same funds as exists in this case. MARS filed the Interpleader on April 11, 2019 in the Eastern District of Louisiana. The Interpleader's complaint is attached as Exhibit A.

Staying this case in favor of the Interpleader may allow the parties to resolve their dispute and other disputes arising from the same series of transactions in a single forum. For that reason,

the parties believe that litigating the Interpleader instead of this case and another pending case may¹ promote judicial efficiency and avoid needless duplication of litigation. The Interpleader may also promote a more efficient resolution because MARS has affirmatively pleaded that it has no interest in the funds to be interpleaded. (Exhibit A at ¶ 37).

CONCLUSION

Plaintiff and Defendants therefore jointly request that the Court stay this case. They further propose that they file a status report with the Court within 30 days of any stay being granted to apprise the Court of the status of the Interpleader and the dispute between Plaintiffs and Defendants.

Respectfully submitted this 12th day of April, 2019.

<u>/s/ J. Stephen Simms (with permission)</u> J. Stephen Simms Simms Showers LLP 201 International Circle, Suite 250 Baltimore, Maryland 21030 Ph: 410-783-5795 Fax: 410-510-1789 jssimms@simmsshowers.com Michael L. Jackson Ben B. Robinson Wallace, Jordan, Ratliff & Brandt, L.L.C. P.O. Box 530910 Birmingham, Alabama 35253 office - (205) 870-0555 fax - (205) 871-7534 e-mail: mjackson@wallacejordan.com brobinson@wallacejordan.com <i>Counsel for Central Boat Rentals, Inc.</i>	<u>/s/ J. Thomas Richie</u> J. Thomas Richie trichie@bradley.com Jeffrey M. Anderson janderson@bradley.com Bradley Arant Boult Cummings LLP 1819 Fifth Avenue North Birmingham, AL 35203 (205) 521-8000 (205) 521-8800 (fax) <i>Counsel for Defendant EPIC Companies, LLC</i>
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¹ Plaintiff and Defendants reserve all rights with respect to the Interpleader and have not determined that the Interpleader is proper.

	<p><u>s/ Grace L. Kipp (with permission)</u> Robert K. Spotswood (SPO 001) Grace L. Kipp (LON 049) SPOTSWOOD SANSOM & SANBURY LLC One Federal Place 1819 5th Avenue North Suite 1050 Birmingham, AL 35203-3329 Telephone: (205) 986-3620 Fax: (205) 986-3639 E-mail: rks@spotswoodllc.com gkipp@spotswoodllc.com</p> <p><i>Attorneys for Defendant Ranger Offshore, Inc.</i></p>
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CERTIFICATE OF SERVICE

I hereby certify that on April 12, 2019, the foregoing was filed electronically with the Clerk of the Court using the CM/ECF system, which will give notice of such filing to the following counsel of record:

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